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JAN 13 2006

TECHNOLOGY CENTER 3600

In re Application of :
Frank A. Taormina, et al. : DECISION ON PETITION
Application No. 10/657,452 : TO WITHDRAW THE
Filed: September 05, 2003 : HOLDING OF ABANDONMENT
For: SATELLITE SYSTEM AND METHOD :
OF DEPLOYING SAME :
:

This is a decision on applicant's petition to withdrawal the holding of abandonment filed on April 06, 2005.

A review of the record indicates the application was held abandoned for failing to file a reply to the Restriction requirement, mailed February 11, 2004, which set a one-month shortened statutory period for reply. A Notice of Abandonment was mailed on February 01, 2005.

The petition is GRANTED in view of the timely filed Certificate of Mailing/Transmission signed on March 02, 2004 and supported by a statement under 37 C.F.R. 1.8(b)(3).

The USPTO return facsimile receipt dated March 02, 2004 is insufficient evidence to accord the filing date of the original to the copy as it fails to reference the application by serial number or other acceptable identifying data.

The application will be forwarded to the Supervisory Legal Instruments Examiner to withdraw the abandonment and restore the application to pending status, before being returned to the examiner for an expeditious Action.


for
Randolph A. Reese
Special Program Examiner
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RAR/rjc 07/26/05